

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JASON RIVERA,

Plaintiff,

v.

ORDER

19-cv-506-wmc

KRISTINE PRALLE, KEVIN
CARR, DAVID BURNETT,
TAMMY MAASSEN, and
DEBRA TIDQUIST,

Defendants.

Pro se plaintiff Jason Rivera is proceeding on Eighth Amendment and state-law negligence claims against defendants Kristine Pralle, Kevin Carr, David Burnett, Tammy Maassen, Debra Tidquist, and a John or Jane Doe nurse. (Dkt. #14 at 12.) In a proposed supplement to his amended complaint, Rivera identifies the Doe nurse as Sandra Ender. (Dkt. #25.) Rivera's amended complaint and the caption will be amended to replace the Doe defendant with defendant Sandra Ender.

Rivera also indicates that the Doe defendant "discussed in paragraph 39 of the amended complaint is Denise Hurless." (*Id.*) However, Rivera identifies Hurless by name in paragraph 39 of the amended complaint. (Dkt. #11 at 6.) The court explained in its screening order why Rivera's allegations are insufficient to proceed against Hurless and dismissed that defendant. (Dkt. #14 at 9.) Rivera's proposed supplement adds no new factual allegations against Hurless, who will not be added to this lawsuit.

ORDER

IT IS ORDERED that:

- 1) Plaintiff Jason Rivera's amended complaint (dkt. #11) and the case caption are AMENDED to replace defendant John or Jane Doe with defendant Sandra Ender.
- 2) Defendant Denise Hurless is DISMISSED.
- 3) The Wisconsin Department of Justice may have 21 days to inform Rivera and the court whether it accepts service on behalf of defendant Ender.

Entered this 12th day of October, 2022.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge